

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use several sheets if necessary)  (PTO-1449)	ATTY. DOCKET NO. 21829/31 (EBC-002)	SERIAL NO. 09/412,100
	APPLICANT Wei et al.	
	FILING DATE October 4, 1999	GROUP ART UNIT 1646

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPRO- PRIATE
	1	5,552,527	09/03/1996	Godiard et al.			
	2	5,550,228	08/27/1996	Godiard et al.			
	3	5,523,311	06/04/1996	Schurter et al.			
	4	5,494,684	02/27/1996	Cohen			
	5	5,348,743	09/20/1994	Ryals et al.			
	6	5,260,271	11/09/1993	Blackburn et al.			
	7	5,244,658	09/14/1993	Parke			
	8	5,243,038	09/07/1993	Ferrari et al.			
	9	5,217,950	06/08/1993	Blackburn et al.			
	10	5,173,403	12/22/1992	Tang			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATI ON IF APPRO- PRIATE
		11	WO 95/19443	07/20/95	WIPO		
		12	WO 94/01546	01/20/94	WIPO		
		13	WO 94/26782	11/24/94	WIPO		
		14	WO 98/32844	07/30/98	WIPO		
		15	WO 98/15547	04/16/98	WIPO		

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	16	Collmer et al., "Erwinia chrysanthemi and Pseudomonas syringae: Plant Pathogens Trafficking in Extracellular-Virulence Proteins," pp. 43-78
	17	Frederick et al., "The WTS Water-Soaking Genes of Erwinia stewartii are Related to hrp Genes," Seventh International Symposium on Molecular Plant Microbe Interactions, Abstract No. 191 (June 1994)
	18	Wei et al., "Proteinaceous Elicitors of the Hypersensitive Response from Xanthomonas campestris pv. glycines," Seventh International Symposium on Molecular Plant Microbe Interactions, Abstract No. 244 (June 1994)
	19	Preston et al., "The HrpZ Proteins of Pseudomonas syringae pvs. syringae, glycinea, and tomato are Encoded by an Operon Containing Yersinia ysc Homologs and Elicit the Hypersensitive Response in Tomato but not Soybean," Mol. Plant-Microbe Interact., 8(5):717-32 (1995)
EXAMINER		DATE CONSIDERED
		11/1/01
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 6 9; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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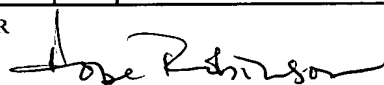
## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	20	5,135,910	08/04/1992	Blackburn et al.			
	21	5,061,490	10/29/1991	Paau et al.			
	22	5,057,422	10/15/1991	Boj et al.			
	23	4,931,581	06/05/1990	Schurter et al.			
	24	4,886,825	12/12/1989	Ruess et al.			
	25	4,851,223	07/25/1989	Sampson			
	26	4,740,593	04/26/1988	Gonzalez et al.			
	27	4,601,842	07/22/1986	Caple et al.			
	28	4,597,972	07/01/1986	Taylor			
	29	4,569,841	02/11/1986	Liu			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION IF APPROPRIATE
	30	EP 0 612 848 A3	02/21/94	EPO			
	31	WO 93/23532	11/25/93	WIPO			
	32	WO 99/07207	02/18/99	WIPO			
	33	WO 99/07206	02/18/99	WIPO			
	34	WO 98/24297	06/11/98	WIPO			

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	35	Bauer et al., "Erwinia chrysanthemi hrp Genes and their Involvement in Elicitation of the Hypersensitive Response in Tobacco," Sixth International Symposium on Molecular Plant Microbe Interactions, Abstract No. 146 (July 1992)
	36	Stryer, L., "Enzymes are Highly Specific," <u>Biochemistry</u> , San Francisco: W.H. Freeman and Company, p. 116 (1975)
	37	Keen et al., "Inhibition of the Hypersensitive Reaction of Soybean Leaves to Incompatible <i>Pseudomonas</i> spp. by Blastocidin S, Streptomycin or Elevated Temperature," <u>Physiological Plant Pathology</u> , 18:325-337 (1981)
EXAMINER		DATE CONSIDERED
		11/1/97
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	38	5,708,139	01/13/98	Collmer et al.			
	39	5,850,015	12/15/98	Bauer et al.			
	40	6,001,959	12/14/99	Bauer et al.			
	41	5,650,387	07/22/97	Wei et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRAN- SLATION IF APPRO- PRIATE
	42	WO 98/54214	12/03/98	WIPO			
	43	WO-96/39802	12/19/96	WIPO			
	44	WO 98/37752	09/03/98	WIPO			

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	45	Lerner, R.A., "Tapping the Immunological Repertoire to Produce Antibodies of Predetermined Specificity," <u>Nature</u> , 299:592-96 (1982)
	46	Staskawicz et al., "Cloned Avirulence Gene of <i>Pseudomonas Syringae</i> pv. <i>glycinea</i> Determines Race-specific Incompatibility on <i>Glycine max</i> (L.) Merr.," <u>Proc. Natl. Acad. Sci. USA</u> , 81:6024-28 (1984)
	47	Bauer et al., " <i>Erwinia chrysanthemi</i> Harpin <sub>Ech</sub> : An Elicitor of the Hypersensitive Response that Contributes to Soft-Rot Pathogenesis," <u>MPMI</u> , 8(4):484-91 (1995)
	48	Huang et al., "Characterization of the <i>hrp</i> Cluster from <i>Pseudomonas syringae</i> pv. <i>syringae</i> 61 and <i>TnphoA</i> Tagging of Genes Encoding Exported or Membrane-Spanning Hrp Proteins," <u>Molec. Plant-Microbe Interact.</u> , 4(5):469-76 (1991)
	49	Huang et al., "The <i>Pseudomonas syringae</i> pv. <i>syringae</i> 61 <i>hrpH</i> Product, an Envelope Protein Required for Elicitation of the Hypersensitive Response in Plants," <u>J. Bacteriol.</u> , 174(21):6878-85 (1992)
	50	Bonas, U., " <i>hrp</i> Genes of Phytopathogenic Bacteria," <u>Current Topics in Microbio.</u> , 192:79-98 (1994)
	51	Arlat et al., "PopA1, A Protein Which Induces a Hypersensitivity-Like Response on Specific Protein <i>Petunia</i> Genotypes, is Secreted via the Hrp Pathway of <i>Pseudomonas solanacearum</i> ," <u>The EMBO J.</u> , 13(3):543-53 (1994)

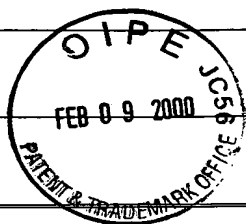
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## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

52	Kessmann et al., "Induction of Systemic Acquired Disease Resistance in Plants By Chemicals," <u>Ann. Rev. Phytopathol.</u> , 32:439-59 (1994)
53	Kelman, A., "The Relationship of Pathogenicity in <i>Pseudomonas solanacearum</i> To Colony Appearance on a Tetrazolium Medium," <u>Phytopathology</u> , 44:693-95 (1954)
54	Winstead et al., "Inoculation Techniques For Evaluating Resistance to <i>Pseudomonas solanacearum</i> ," <u>Phytopathology</u> , 42:628-34 (1952)
55	Ahl et al., "Iron Bound-Siderophores, Cyanic Acid, and Antibiotics Involved in Suppression of <i>Thielaviopsis basicola</i> by a <i>Pseudomonas fluorescens</i> Strain," <u>J. Phytopathology</u> , 116:121-34 (1986)
56	Anderson et al., "Responses of Bean to Root Colonization with <i>Pseudomonas putida</i> in a Hydroponic System," <u>Phytopathology</u> , 75(9):992-95 (1985)
57	Gardner et al., "Growth Promotion and Inhibition by Antibiotic-Producing Fluorescent <i>Pseudomonads</i> on Citrus Roots," <u>Plant and Soil</u> , 77:103-13 (1984)
58	Kloepper, J.W., "Effect of Seed Piece Inoculation with Plant Growth-Promoting Rhizobacteria on Populations of <i>Erwinia carotovora</i> on Potato Roots and In Daughter Tubers," <u>Phytopathology</u> , 73(2):217-19 (1983)
59	Atkinson et al., "The Hypersensitive Reaction of Tobacco to <i>Pseudomonas syringae</i> pv. <i>lisi</i> ," <u>Plant Physiol.</u> , 79:843-47 (1985)
60	Huynh et al., "Bacterial Blight of Soybean: Regulation of a Pathogen Gene Determining Host Cultivar Specificity," <u>Science</u> , 245:1374-77 (1986)
61	Kloepper et al., "Plant Growth-Promoting Rhizobacteria on Canola (Rapeseed)," <u>Plant Disease</u> , 72(1):42-6 (1988)
62	Kloepper et al., "Enhanced Plant Growth by Siderophores Produced by Plant Growth-Promoting Rhizobacteria," <u>Nature</u> , 286:885-86 (1980)
63	Kloepper et al., " <i>Pseudomonas</i> Siderophores: A Mechanism Explaining Disease-Suppressive Soils," <u>Current Microbiology</u> , 4:317-20 (1980)
64	Kloepper et al., "Emergence-Promoting Rhizobacteria: Description and Implications for Agriculture," In: <u>Iron, Siderophores, and Plant Disease</u> , Swinborne (ed), Plenum, NY, 155-64 (1986)
65	Kloepper et al., "Relationship of <i>in vitro</i> Antibiosis of Plant Growth-Promoting Rhizobacteria to Plant Growth and the Displacement of Root Microflora," <u>Phytopathology</u> , 71(10):1020-24 (1981)


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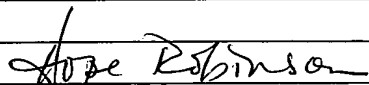
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## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

66	✓	Kloepper et al., "Effects of Rhizosphere Colonization by Plant Growth-Promoting Rhizobacteria on Potato Plant Development and Yield," <u>Phytopathology</u> , 70(11):1078-82 (1980)
67	✓	Kloepper et al., "Plant Growth Promotion Mediated by Rhizosphere Bacterial Colonizers," In: <u>The Rhizosphere and Plant Growth</u> , - 315-32, Keister et al. (eds), pp. 315-26 (1991)
68	✓	Lifshitz et al., "Growth Promotion of Canola (rapeseed) Seedlings by a Strain of <i>Pseudomonas putida</i> Under Gnotobiotic Conditions," <u>Microbiol.</u> 33:390-95 (1987)
69	✓	Liu et al., "Induction of Systemic Resistance in Cucumber Against Bacterial Angular Leaf Spot by Plant Growth-Promoting Rhizobacteria," <u>Phytopathology</u> , 85(8):843-47 (1995)
70	✓	Loper et al., "Influence of Bacterial Sources of Indole-3-acetic Acid on Root Elongation of Sugar Beet," <u>Phytopathology</u> , 76(4):386-89 (1986)
71	✓	Schroth et al., "Disease-Suppressive Soil and Root-Colonizing Bacteria," <u>Science</u> , 216:1376-81 (1982)
72	✓	Stutz et al., "Naturally Occurring Fluorescent Pseudomonads Involved Suppression of Black Root Rot of Tobacco," <u>Phytopathology</u> , 76(2):181-85 (1986)
73	✓	Lindgren et al., "Gene Cluster of <i>Pseudomonas Syringae</i> pv. " <i>phaseolicola</i> " Controls Pathogenicity of Bean Plants and Hypersensitivity on Nonhost Plants," <u>J. Bacteriol.</u> , 168(2):512-22 (1986)
74	✓	Bauer et al., "Cloning of a Gene from <i>Erwinia Amylovora</i> Involved in Induction of Hypersensitivity and Pathogenicity," <u>Plant Pathogenic Bacteria</u> , Proceedings of the Sixth International Conference on Plant Pathogenic Bacteria, Maryland, pp. 425-29 (1987)
75	✓	Wei et al., "Induction of Systemic Resistance of Cucumber to <i>Colletotrichum orbiculare</i> by Select Strains of Plant Growth-Promoting Rhizobacteria," <u>Phytopathology</u> , 81:1508-12 (1991)
76	✓	Wei et al., "Induction of Systemic Resistance with Seed Treatment by PGPR Strains," pgs. 191-194
77	✓	Weller, D.M., "Biological Control of Soilborne Plant Pathogens in the Rhizosphere with Bacteria," <u>Ann. Rev. Phytopathol.</u> , 26:379-407 (1988)
78	✓	Young et al., "PGPR: Is There a Relationship Between Plant Growth Regulators and the Stimulation of Plant Growth or Biological Activity?," pgs. 182-186
79	✓	Wei et al., "Induced Systemic Resistance by Select Plant Growth-Promoting Rhizobacteria Against Bacterial Wilt of Cucumber and the Beetle Vectors," <u>Phytopathology</u> , 86:1154, Abstract No. 313 (1995)
80	✓	Wieringa-Brants et al., "Induced Resistance in Hypersensitive Tobacco Against Tobacco Mosaic Virus by Injection of Intercellular Fluid from Tobacco Plants with Systemic Acquired Resistance," <u>Phytopathology</u> , 118:165-70 (1987)

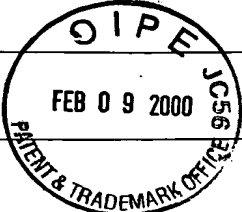
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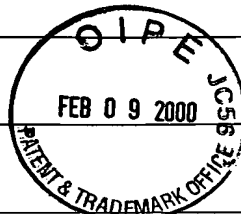
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## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

81	Malamy et al., "Salicylic Acid: A Likely Endogenous Signal in the Resistance Response of Tobacco to Viral Infection," <u>Science</u> , 250:1002-04 (1990)
82	Dean et al., "Immunisation Against Disease: The Plant Fights Back," pgs. 383-411
83	Cameron et al., "Biologically Induced Systemic Acquired Resistance in <i>Arabidopsis thaliana</i> ," <u>The Plant Journal</u> , 5(5):715-25 (1994)
84	Laby et al., "Structural and Functional Analysis of <i>Erwinia amylovora</i> Harpin, An Elicitor of the Plant Hypersensitive Response," <u>Phytopathology</u> , 84:345 (1994)
85	Van Gijsegem et al., "Evolutionary Conservation of Pathogenicity Determinants Among Plant and Animal Pathogenic Bacteria," <u>Trends Microbiol.</u> , 1:175-80 (1993)
86	Kamoun, et al., "Extracellular Protein Elicitors from <i>Phytophthora</i> : Host-Specificity and Induction of Resistance to Bacterial and Fungal Phytopathogens," <u>Molecular Plant-Microbe Interactions</u> , 6(1):15-25 (1993)
87	Baillieul, et al., "A New Elicitor of the Hypersensitive Response in Tobacco: A Fungal Glycoprotein Elicits Cell Death, Expression of Defense Genes, Production of Salicylic Acid, and Induction of Systemic Acquired Resistance," <u>The Plant Journal</u> , 8(4):551-60 (1995)
88	Collinge et al., "Plant Gene Expression in Response to Pathogens," <u>Plant Molecular Biology</u> , 9:389-410 (1987)
89	Shatzman et al., "Expression, Identification, and Characterization of Recombinant Gene Products in <i>Escherichia coli</i> ," <u>Methods in Enzymology</u> , 152:661-73 (1987)
90	Tenhaken, et al., "Function of the Oxidative Burst in Hypersensitive Disease Resistance," <u>Proc. Natl. Acad. Sci. USA</u> , 92:4158-63 (1995)
91	Bonnet, et al., "Induction de nécroses foliaires, de protéines b et de résistance dans les interactions tabac <i>Phytophthora</i> ," <u>Agronomie</u> , 6(9):829-37 (1986)
92	Gallitelli, et al., "Satellite-Mediated Protection of Tomato Against Cucumber Mosaic Virus: II. Field Test Under Natural Epidemic Conditions in Southern Italy," <u>Plant Disease</u> , 75(1):93-5 (1991)
93	Kang et al., "Control of Tomato Mosaic Disease by Interference of an Attenuated Virus," <u>Res. Rept. RDA (Hort.)</u> , 27(1):17-26 (1985)
94	Montasser, et al., "Satellite-Mediated Protection of Tomato Against Cucumber Mosaic Virus: I. Greenhouse Experiments and Simulated Epidemic Conditions in the Field," <u>Plant Disease</u> , 75(1):86-92 (1991)
95	Marks, R.J., "Varietal Resistance to Potato Cyst Nematode," <u>Agricultural Entomology</u> , pp. 63-67 (1979)
EXAMINER <u>Hope Robinson</u>	
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## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

96	Walton, et al., "Host-Selective Toxins and Disease Specificity: Perspectives and Progress," <u>Annu. Rev. Phytopathol.</u> , 31:275-303 (1993)
97	Atkinson, M.M., "Molecular Mechanisms of Pathogen Recognition by Plants," <u>Advances in Plant Pathology</u> , 10:36-64 (1993)
98	Godiard, et al., "Differential Regulation in Tobacco Cell Suspensions of Genes Involved in Plant-Bacteria Interactions by Pathogen-Related Signals," <u>Plant Molecular Biology</u> , 17:409-13 (1991)
99	Ricci, et al., "Structure and Activity of Proteins from Pathogenic Fungi <i>Phytophthora</i> Eliciting Necrosis and Acquired Resistance in Tobacco," <u>Eur. J. Biochem.</u> , 183:555-63 (1989)
100	Lakhmatova, I.T., "Induction of Plant Resistance to Viral Diseases: Application of Vaccination," <u>Sel'skokhozyaistvennaya Biologiya</u> , 3:39-51 (1991)
101	<u>Biologicheskii Zhurnal Armenii</u> , 31(3):305-09 (1978)
102	Lakhmatova, I.T., "Using Biologically Active Substances to Induced Plant Resistance to Viruses Immunization," <u>Sel'skokhozyaistvennaya Biologiya</u> , 3:13-22 (1992)
103	Shields, R., "Towards Insect-Resistant Plants," <u>Nature</u> , 328:12-13 (1987)
104	Huang et al., "Molecular Cloning of a <i>Pseudomonas syringae</i> pv. <i>syringae</i> Gene Cluster That Enables <i>Pseudomonas fluorescens</i> To Elicit the Hypersensitive Response in Tobacco Plants," <u>J. Bacteriol.</u> , 170(10):4748-56 (1988)
105	Ricci, et al., "Differential Production of Parasiticein, an Elicitor of Necrosis and Resistance in Tobacco, by Isolates of <i>Phytophthora Parasitica</i> ," <u>Plant Pathology</u> , 41:298-307 (1992)
106	Honée, et al., "Molecular Characterization of the Interaction Between the Fungal Pathogen <i>Cladosporium fulvum</i> and Tomato," <u>Advances in Molecular Genetics of Plant-Microbe Interactions</u> , 3:199-206 (1994)
107	Keller, et al., "Responses of Tobacco to Elicitins, Proteins From <i>Phytophthora</i> Spp. Eliciting Acquired Resistance," <u>Advances in Molecular Genetics of Plant-Microbe Interactions</u> , 3:327-32 (1994)
108	Keen, et al., "Bacteria Expressing Avirulence Gene D Produce a Specific Elicitor of the Soybean Hypersensitive Reaction," <u>Molecular Plant-Microbe Interactions</u> , 3(2):112-21 (1990)
109	Bauer, et al., " <i>Erwinia chrysanthemi</i> hrp Genes and Their Involvement in Soft Rot Pathogenesis and Elicitation of the Hypersensitive Response," <u>MPMI</u> , 7(5):573-81 (1994)
110	Schottens-Toma et al., "Purification and Primary Structure of a Necrosis-inducing Peptide from the Apoplastic Fluids of Tomato Infected with <i>Cladosporium fulvum</i> (syn. <i>Fulvia fulva</i> )," <u>Physiological and Molecular Plant Pathology</u> , 33:59-67 (1988)

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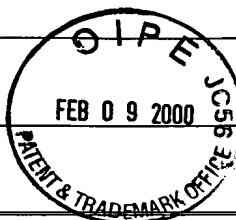
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## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

111	Steinberger et al., "Creation and Complementation of Pathogenicity Mutants of <i>Erwinia amylovora</i> ," <u>Molecular Plant-Microbe Interactions</u> , 1(3):135-44 (1988)
112	Beer et al., "The Hypersensitive Response is Elicited by <i>Escherichia coli</i> Containing a Cluster of Pathogenicity Genes From <i>Erwinia amylovora</i> ," <u>Phytopathology</u> , 79(10):1156 (Abstract 169) (1989)
113	Hiatt et al., "Production of Antibodies in Transgenic Plants," <u>Nature</u> , 342:76-8 (1989)
114	Hippe et al., "In Situ Localization of a Foreign Protein in Transgenic Plants by Immunoelectron Microscopy Following High Pressure Freezing. Freeze Substitution and Low Temperature Embedding," <u>European Journal of Cell Biology</u> , 50:230-34(1989)
115	Huang et al., "Isolation and Purification of a Factor from <i>Pseudomonas solanacearum</i> That Induces a Hypersensitive-like Response in Potato Cells," <u>Molecular Plant-Microbe Interactions</u> , 2(3):132-38 (1989)
116	James et al., "Genetic Transformation of Apple ( <i>Malus pumila</i> Mill.) Using a Disarmed Ti-binary Vector," <u>Plant Cell Reports</u> , 7:658-61 (1989)
117	Laby et al., "Cloning and Preliminary Characterization of an <i>hrp</i> Gene Cluster of <i>Erwinia amylovora</i> ," <u>Phytopathology</u> , 79(10):1211 (Abstract 607) (1989)
118	Dow et al., "Extracellular Proteases from <i>Xanthomonas campestris</i> pv. <i>Campestris</i> , the Black Rot Pathogen," <u>Applied and Environmental Microbiology</u> , 56(10):2994-98 (1990)
119	Walters et al., "Gene for Pathogenicity and Ability to Cause the Hypersensitive Reaction Cloned from <i>Erwinia amylovora</i> ," <u>Physiological and Molecular Plant Pathology</u> , 36:509-21 (1990)
120	Wu et al., "Cloning, Genetic Organization, and Characterization of a Structural Gene Encoding Bacillopeptidase F from <i>Bacillus subtilis</i> ," <u>The Journal of Biological Chemistry</u> , 265(12):6845-50 (1990)
121	Bauer et al., "Further Characterization of an <i>hrp</i> Gene Cluster of <i>Erwinia amylovora</i> ," <u>Molecular Plant-Microbe Interactions</u> , 4(5):493-99 (1991)
122	Beer et al., "The <i>hrp</i> Gene Cluster of <i>Erwinia amylovora</i> ," <u>Advances in Molecular Genetics of Plant-Microbe Interactions</u> , 1:53-60 (1991)
123	Benvenuto et al., "Phytoantibodies: A General Vector for the Expression of Immunoglobulin Domains in Transgenic Plants," <u>Plant Molecular Biology</u> , 17:865-74 (1991)
124	Milat et al., "Physiological and Structural Changes in Tobacco Leaves Treated with Cryptogein, a Proteinaceous Elicitor From <i>Phytophthora cryptogea</i> ," <u>Phytopathology</u> , 81(11):1364-68 (1991)
125	Ruberti et al., "A Novel Class of Plant Proteins Containing a Homeodomain with a Closely Linked Leucine Zipper Motif," <u>The EMBO Journal</u> , 10(7):1787-91 (1991)
126	Quigley et al., "Nucleotide Sequence and Expression of a Novel Glycine-Rich Protein Gene from <i>Arabidopsis thaliana</i> ," <u>Plant Molecular Biology</u> , 17:949-52 (1991)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 6 9; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

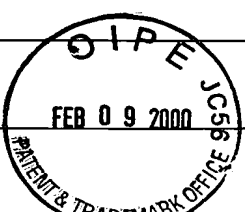
127	Van Kan et al., "Cloning and Characterization of cDNA of Avirulence Gene <i>avr9</i> of the Fungal Pathogen <i>Gladospodium Fulvum</i> , Causal Agent of Tomato Leaf Mold," <u>Molecular Plant-Microbe Interactions</u> , 4(1):52-9 (1991)
128	Waldmann, T.A., "Monoclonal Antibodies in Diagnosis and Therapy," <u>Science</u> , 252:1657-62 (1991)
129	Willis et al., " <i>hrp</i> Genes of Phytopathogenic Bacteria," <u>Molecular Plant-Microbe Interactions</u> , 4(2) 132-38 (1991)
130	Beer et al., "Are Harpins Universal Elicitors of the Hypersensitive Response of Phytopathogenic Bacteria?," <u>Advances in Molecular Genetics of Plant-Microbe Interactions</u> , 2:281-86 (1992)
131	Laby et al., "Hybridization and Functional Complementation of the <i>hrp</i> Gene Cluster from <i>Erwinia amylovora</i> Strain Ea321 With DNA of Other Bacteria," <u>Molecular Plant-Microbe Interactions</u> , 5(5):412-19 (1992)
132	Sandhu, "Protein Engineering of Antibodies," <u>Crit. Rev. in Biotech.</u> , 12(5/6):437-62 (1992)
133	Wei et al., "Harpin, Elicitor of the Hypersensitive Response Produced by the Plant Pathogen <i>Erwinia amylovora</i> ," <u>Science</u> , 257:85-8 (1992)
134	He et al., " <i>Pseudomonas syringae</i> pv. <i>syringae</i> Harpin <sub>ps</sub> : A Protein that is Secreted via the Hrp Pathway and Elicits the Hypersensitive Response in Plants," <u>Cell</u> , 73:1255-66 (1993)
135	Bonas, U., "Bacterial Home Goal by Harpins," <u>Trends in Microbiology</u> , 2:1-2 (1994)
136	Boccaro, et al., "Plant Defense Elicitor Protein Produced by <i>Erwinia chrysanthemi</i> ," <u>Mechanisms of Plant Defense Responses</u> , Pg. 166 (1993)
137	Qui et al., "Treatment of Tomato Seed with Harpin Enhances Germination and Growth and Induces Resistance to <i>Ralstonia solanacearum</i> ," <u>Phytopathology</u> , 87:6, S80 (1997) (abstract only)
138	Burr et al., "Increased Potato Yields by Treatment of Seedpieces with Specific Strains of <i>Pseudomonas Fluorescens</i> And <i>P. putida</i> ," <u>Phytopathology</u> , 68:1377-1383 (1978).
139	Ricci et al., "Proteinaceous Elicitors of Plant Defense Responses," B. Fritig eds., <u>Mechanisms of Plant Defense Responses</u> , Netherlands, pp. 121-130 (1993).
140	Keen et al., "Syringolide Elicitors Specified By Avirulence Gene D Alleles In <i>Pseudomonas syringae</i> ," <u>Advances in Molecular Genetics of Plant-Microbe Interactions</u> , 3:41-48 (1994).
141	Klessig et al., "The Salicylic Acid Signal In Plants," <u>Plant Molecular Biology</u> , 26:1439-1458 (1994).

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DATE CONSIDERED

11/1/07

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## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

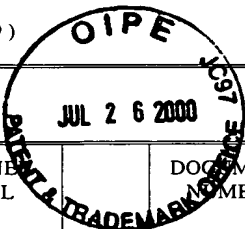
142	Bogdanove et al., "Unified Nomenclature For Broadly Conserved <i>hrp</i> Genes of Phytopathogenic Bacteria," <u>Molecular Microbiology</u> , 20(3):681-683 (1996).
143	Bonnet et al., "Acquired Resistance Triggered By Elicitins In Tobacco and Other Plants," <u>European Journal of Plant Pathology</u> , 102:181-192 (1996).
144	Cui et al., "The RsmA <sup>-</sup> Mutants of <i>Erwinia carotovora</i> subsp. <i>carotovora</i> Strain Ecc71 Overexpress <i>hrpN<sub>Ecc</sub></i> and Elicit a Hypersensitive Reaction-like Response in Tobacco Leaves," <u>Molecular Plant-Microbe Interactions</u> , 9(7):565-573 (1996).
145	Gopalan et al., "Bacterial Genes Involved in the Elicitation of Hypersensitive Response and Pathogenesis," <u>Plant Disease</u> , 80(6):604-610 (1996).
146	Hoffland et al., "Comparison of Systemic Resistance Induced by Avirulent and Nonpathogenic <i>Pseudomonas</i> Species," <u>Phytopathology</u> , 86(7):757-762 (1996).
147	Ryals et al., "Systemic Acquired Resistance," <u>The Plant Cell</u> , 8:1809-1819 (1996).
148	Wei et al., "Induced Systemic Resistance to Cucumber Diseases and Increased Plant Growth by Plant Growth-Promoting Rhizobacteria Under Field Conditions," <u>Phytopathology</u> , 86:221-224 (1996).
149	Wengelnik et al., "Expression and Localization of HrpA1, a Protein of <i>Xanthomonas campestris</i> pv. <i>vesicatoria</i> Essential for Pathogenicity and Induction of the Hypersensitive Reaction," <u>Journal of Bacteriology</u> , 178:1061-1069 (1996).
150	Inbar et al., "Elicitors of Plant Defensive Systems Reduce Insect Densities and Disease Incidence," <u>Journal of Chemical Ecology</u> , 24(1):135-149 (1998).
151	Jin et al., "A Truncated Fragment of Harpin <sub>PG</sub> Induces Systemic Resistance To <i>Xanthomonas campestris</i> pv. <i>oryzae</i> In Rice," <u>Physiological and Molecular Plant Pathology</u> , 51:243-257 (1997).
152	Alfano et al., "Analysis of the Role of the <i>Pseudomonas Syringae</i> pv. <i>Syringae</i> HrpZ Harpin in Elicitation of the Hypersensitive Response in Tobacco Using Functionally Non-Polar <i>hrpZ</i> Deletion Mutations, Truncated HrpZ Fragments, and <i>hrmA</i> Mutations," <u>Molecular Microbiology</u> , 19:715-728 (1996)
153	Linthorst et al., "Constitutive Expression of Pathogenesis-Related Proteins PR-1, GRP, and PR-S in Tobacco Has No Effect on Virus Infection," <u>The Plant Cell</u> , 1:285-291 (1989)
154	Malamy et al., Salicylic Acid and Plant Disease Resistance," <u>The Plant Journal</u> , 2:643-654 (1992)
155	McGurl et al., "Structure, Expression, and Antisense Inhibition of the Systemin Precursor Gene," <u>Science</u> , 255:1570-1573 (1992)
EXAMINER <u>Aoze Robinson</u>	
DATE CONSIDERED <u>11/1/07</u>	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 6 9; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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## U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANS- LATION IF APPRO- PRIATE
<i>AR</i>	1	WO 98/32844	7/30/1998	PCT	<i>1</i>	<i>1</i>	
<i>AR</i>	2	WO 98/24297	6/11/1998	PCT	<i>1</i>	<i>1</i>	

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

<i>AR</i>	3	Nürnberg et al., "High Affinity Binding of a Fungal Oligopeptide Elicitor to Parsley Plasma Membranes Triggers Multiple Defense Responses," <u>Cell</u> 78:449-460 (1994)
<i>AR</i>	4	Wei et al., "Harpin, an HR Elicitor, Activates Both Defense and Growth Systems in Many Commercially Important Crops," <u>Phytopathology</u> 88:S96 (1998) (abstract only)
<i>AR</i>	5	Niggemeyer et al., "Characterization of the Functional Domains of Harpin," <u>Phytopathology</u> 88:S67 (1998) (abstract only)
<i>AR</i>	6	Parker et al., "An Extracellular Glycoprotein from <i>Phytophthora megasperma</i> f.sp. glycinea Elicits Phytoalexin Synthesis in Cultured Parsley Cells and Protoplasts," <u>Mol. Plant Microbe Interact.</u> 4:19-27 (1991)
<i>AR</i>	7	Hahlbrock et al., "Elicitor-Mediated Defense Gene Activation in Incompatible Plant/Fungus Interactions," <u>Journal of Cellular Biochemistry Supplement</u> 19B:144 (1995) (abstract only)
<i>AR</i>	8	Honée et al., "Induction of Defense-Related Responses in Cf9 Tomato Cells by the AVR9 Elicitor Peptide of <i>Cladosporium Fulvum</i> is Developmentally Regulated," <u>Plant Physiol.</u> 117:809-820 (1998)
<i>AR</i>	9	Keller et al., "Changes in the Accumulation of Soluble and Cell Wall-Bound Phenolics in Elicitor-Treated Cell Suspension Cultures and Fungus-Infected Leaves of <i>Solanum Tuberosum</i> ," <u>Phytochemistry</u> 42(2):389-396 (1996)
<i>AR</i>	10	Gijsegem et al., "Activation of Defense-Related Genes in Parsley Leaves by Infection with <i>Erwinia Chrysanthemi</i> ," <u>European Journal of Plant Pathology</u> 101:549-559 (1995)

EXAMINER  <i>Arpe Robinson</i>	DATE CONSIDERED  6/10/03
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## U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANS- LATION IF APPRO- PRIATE

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	11	Nürnberg et al., "Fungal Peptide Elicitors: Signals Mediating Pathogen Recognition in Plants, <u>Journal of Biosciences</u> 53: 141-150 (1998)
	12	Sacks et al., "Molecular Characterization of Nucleotide Sequences Encoding the Extracellular Glycoprotein Elicitor from <i>Phytophthora Megasperma</i> ," <u>Mol. Gen. Genet.</u> 246:45-55 (1995)
	13	Daniels et al., "Plant and Bacterial Genes Involved in Interactions Between <i>Xanthomonas</i> and Crucifers," <u>Current Plant Science and Biotechnology in Agriculture</u> 2(14):423-433 (1993)
	14	Daniels et al., "Interaction Between <i>Arabidopsis Thaliana</i> and <i>Xanthomonas Campestris</i> ," <u>Current Plant Science and Biotechnology in Agriculture</u> 1(10):84-89 (1991)
	15	Parker et al., "Response of Parsley Cells and Protoplasts to Fungal Elicitor," <u>J. Cell Biochem. Suppl</u> 0 (12 Part C) p. 255 (1988) (abstract only)
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	DATE CONSIDERED	
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